

REMARKS

Paragraph [0001] of the specification is amended herein to correct the relationship of the applications from which benefit is claimed. No new matter is included in these amendments.

M.P.E.P. § 201.11(V)(A) states that a petition under 37 CFR 1.78(a)(3) and the surcharge is not required for correcting a timely submitted benefit claim when changing the relationship of the applications (e.g., changing from "continuation" or "divisional" to "continuation-in-part" or from "continuation-in-part" to "continuation" or "divisional"). Therefore, a petition is not necessary to correct relationship (e.g., continuation to division) if the benefit claim to each of the applications were included in the specification upon filing of the application. Applicants respectfully assert that only the relationships among the applications already in the claim for priority of the originally filed application were changed. Thus, because no new applications are included in the above-referenced amended paragraph of the specification, a petition is not necessary.

Applicants note that the fees outlined in the outstanding Notice of Allowance for the present application are due June 24, 2009. In light of the above remarks, Applicants respectfully request that the Examiner enter the present amendment to the first paragraph of the specification such that the amended language is ultimately included in the issued patent.

If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that he telephone Applicants' attorney at (908) 654-5000 in order to overcome any additional objections which he might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

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Respectfully submitted,
Electronic signature: /William
A. Di Bianca/
William A. Di Bianca
Registration No.: 58,653
LERNER, DAVID, LITTENBERG,
KRUMHOLZ & MENTLIK, LLP
600 South Avenue West
Westfield, New Jersey 07090
(908) 654-5000
Attorney for Applicants

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